THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.14917 of 1996

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DATED: 21-02-2006

Between:

A.Muthu and others . . .Petitioners

And

District Collector, Nellore, and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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O R D E R:

The petitioners state that they are in possession of an extent of one acre of Government Poramboke land in Survey Nos.2166 and 2167 of Kothur Gram Panchayat, Nellore District, and constructed thatched houses therein. They claimed to have submitted a representation to the respondents for grant of house pattas and complain that no action has been taken thereon. They seek appropriate directions to the respondents in this regard.

On behalf of the respondents, counter-affidavit is filed. It is alleged that the actual name of the first petitioner is Venkateshwara Reddy and that he is the owner of a bus. It is alleged that he is a professional land grabber along with certain other persons. The respondents state that the petitioners are not in occupation of any land and except one temple, no other structures are existing in the land in Survey Nos.2166 and 2167.

Heard the learned counsel for the petitioners and learned counsel for the respondents.

The petitioners do not claim any legal or inherent right over the land referred to above. Though they pleaded that they have constructed thatched sheds in the land for their residential purposes, the respondents have categorically stated that the land is vacant and the present effort is only through the first respondent, who is said to be a land grabber. Once the respondents have stated that the land is not in occupation of the petitioners, this Court cannot issue any direction to them to permit the petitioners to stay in that.

So far as the request of the petitioners for assignment of house sites is concerned, it is needless to observe that in case any of the petitioners are found to be eligible and as and when the respondents undertake distribution of house site pattas to landless poor, their cases shall also be considered.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

21st FEBRUARY, 2006.

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